

Excerpts
Unapproved Planning Commission Minutes
December 11, 2002

Application No. UP-612-03, Carl Richard & Karen K. Berquist: Request for a Special Use Permit, pursuant to Section 24.1-407 of the York County Zoning Ordinance, to authorize an accessory apartment containing in excess of 25% of the total floor area of the associated single family detached dwelling. The property is located at 469 Catesby Lane, and is further identified as Assessor's Parcel No. 10C-4-D-95. The property is located on the west side of Catesby Lane (Route 608), approximately 1,100 feet north of its intersection with Burnham Road (Route 609). The property is zoned R13 (High Density Residential) and is designated for High Density Residential development in the Comprehensive Plan.

Ms. Amy Parker presented a summary of the staff memorandum to the Commission dated December 4, 2002, in which the staff recommended approval.

She added that the City of Williamsburg had not commented on the courtesy copy of the application that was sent by staff. Responding to Ms. White, Ms. Parker also noted that no neighbors had commented to staff about this application.

Chair Hendricks opened the public hearing. He closed the public hearing when no one appeared to speak.

Ms. White questioned if there was sufficient parking on the property and Ms. Parker responded affirmatively.

PC02-45

On motion of Ms. White, which carried 5:0 (Mr. Barba absent), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE
PERMIT TO AUTHORIZE A DETACHED ACCESSORY APARTMENT AT 469
CATESBY LANE

WHEREAS, Carl Richard and Karen K. Berquist have submitted Application No. UP-612-03 to request a Special Use Permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize a detached accessory apartment in conjunction with a single-family detached dwelling on property located at 469 Catesby Lane and further identified as Assessor's Parcel No. 104C-4-D-95; and

WHEREAS, said application has been referred to the York County Planning Commission; in accordance with applicable procedure and;

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has given careful consideration to the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 11th day of December, 2002, that it does hereby transmit Application No. UP-612-03 to the York County Board of Supervisors with a recommendation of approval of a Special Use Permit to authorize a detached accessory apartment in conjunction with a single family detached dwelling on property located at 469 Catesby Lane, subject to the following conditions:

1. This use permit shall authorize a detached accessory apartment in conjunction with a single-family detached dwelling on property located at 469 Catesby Lane and further identified as Assessor's Parcel No. 104C-4-D-95.
2. Building plans for the accessory apartment shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Building Regulation, prior to the commencement of any construction activities related to the accessory apartment use on the site. Said building plans shall be in conformance with the elevations and location plat submitted by the Applicants on October 29, 2002 and floor plan submitted on November 25, 2002.
3. A Certificate of Occupancy for the apartment must be issued prior to establishing residence in the building.
4. Not more than one (1) accessory apartment shall be permitted in conjunction with the principal dwelling unit.
5. The accessory apartment unit shall not contain in excess of 900 square feet.
6. The accessory apartment unit shall contain no more than one (1) bedroom.
7. Adequate provisions shall be made for off-street parking of motor vehicles in such a fashion as to be compatible with the character of the single-family residence and adjacent properties.
8. The accessory apartment shall not be rented separate from the principal dwelling and shall be occupied only by family members or guests of the occupant of the single-family dwelling. The accessory apartment shall not be served by a separate electrical service meter.
9. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a

certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

PPL
UP612excr